

SIDNEY J. COHEN, ESQ., State Bar No. 39023
SIDNEY J. COHEN PROFESSIONAL CORPORATION
427 Grand Avenue
Oakland, CA 94610
Telephone: (510) 893-6682

Attorneys for Plaintiff
RICHARD SKAFF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD SKAFF

Plaintiff,

V.

REAL MEX RESTAURANTS,
INC; GENERAL GROWTH
PROPERTIES, INC. and DOES 1-
25, Inclusive,

Defendants.

CASE NO. C 09-05518 JSW
Civil Rights

**STIPULATION AND ~~PROPOSED~~
ORDER FOR DISMISSAL
AGAINST DEFENDANT REAL
MEX RESTAURANTS, INC.**

FRCP 41

Plaintiff RICHARD SKAFF, by and through his attorney, and Defendant REAL MEX RESTAURANTS, INC, by and through its attorneys, file this “STIPULATION AND [PROPOSED] ORDER FOR DISMISSAL AGAINST REAL MEX RESTAURANTS, INC” pursuant to Federal Rule of Civil Procedure 41.

Plaintiff filed this lawsuit on November 20, 2009.

On October 4, 2011, Defendant filed a voluntary bankruptcy in the United States Bankruptcy Court for the District of Delaware. Accordingly, this Court stayed this action as to Defendant pursuant to 11 U.S.C. 362(a) (Docket # 36).

Defendant has advised the Court that Defendant’s bankruptcy is now over, that Defendant is a defunct entity, and that Defendant has been liquidated and no longer exists. (Docket #69).

Consequently, Plaintiff and Defendant jointly move to dismiss with prejudice this action against Defendant REAL MEX RESTAURANTS, INC.

This case is not a class action, and no receiver has been appointed.

This Stipulation may be signed in counterparts, and facsimile or electronically transmitted signatures shall be as valid and binding as original signatures.

Wherefore, Plaintiff and Defendant REAL MEX RESTAURANTS, INC. , by and through their attorneys of record, so stipulate.

Date: 5/9/13

SIDNEY J. COHEN
PROFESSIONAL CORPORATION

/s/ Sidney J. Cohen

Sidney J. Cohen
Attorney for Plaintiff Richard Skaff

Date:

GREENBERG TRAURIG, LLP

/s/ Gregory F. Hurley

Gregory F. Hurley
Attorneys for Defendant
Real Mex Restaurants, Inc.

PURSUANT TO STIPULATION OF THE PARTIES, IT IS SO ORDERED:

The lawsuit against Defendant REAL MEX RESTAURANTS, INC is dismissed with prejudice.

Date:

May 10, 2013



Jeffrey S. White
United States District Judge